HOW THE GOVERNMENT GRANTS MONOPOLIES

MUNN & YORK
Counsellors at Law
Solicitors of Patents
37 to 41 Park Row
NEW YORK

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DUNN & TURK

Counselors-at-Law and Solicitors of Patents

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PREFACE.

Nearly eight hundred thousand patents for useful inventions have been issued in the United States since the beginning of our national history. The inventors might be found in all occupations and professions. The inventions protected by these patents have laid the foundation for the preëminent industrial position now occupied by this country, and it is our wise and liberal patent laws that have encouraged inventors to devote their energies to the development of these inventions.

The conditions governing the granting of patents are of general interest and every manufacturer and business man as well as every inventor should have some knowledge of them. This pamphlet gives, in a condensed manner, the information most frequently asked for and it is hoped that it will be found of use.

The registration of copyrights and trade marks is also discussed.

The new trade mark law which became effective April 1st, 1905, has attracted much attention to this subject and the liberality of its provisions has already caused many to avail themselves of its benefits.

DUNN & TURK,

Attorneys and Counselors of Law, and Solicitors of Patents

13–21 Park Row, New York

PATENTS.

Nature of patent. A patent is a contract between the Government and the inventor, whereby the Government grants to the inventor the full and exclusive right to make, use and sell the invention, throughout the United States and Territories for a specified number of years.

The consideration for this grant is the full disclosure of the nature of the invention and of the best manner of using it, which disclosure enables the public to obtain its benefits upon the termination of the inventor's exclusive rights.

The question may be asked why is not the owner of the patent always successful in suits for infringement of patents, and the answer is plain, that the laws only give exclusive rights to those who have invented new and useful devices, and if it is proven to the satisfaction of the Court that the device was published or publicly used by others before the invention thereof by the patentee or more than two years before he applied for his patent, the Court would declare the patent invalid. It frequently happens also that the claims of patents are unskilfully drawn, so that parties, by means of changes in the mechanism, are enabled to produce a device which contains the principle of the invention but is not included in the language of the claims,

and they thereby reap the fruit of the inventor's labor, without paying the proper tribute. Again the owners of patents may try to expand the claims so as to cover later inventions in the same line, which the original inventor had not foreseen and to which he is not entitled. The rule is that every United States patent is *prima facie* valid for what its claims cover. By this is meant that its validity is assumed until and unless the fact of invalidity is conclusively proven.

Is it worth while to obtain a patent?

While the majority of inventors have decided this question for themselves (over 50,000 applications for patents having been filed during the year 1904), there may be some who are not aware of the full benefits which the Government confers upon inventors.

Every patent confers upon the patentee, his heirs and assigns, the exclusive right to make, use and sell the invention or discovery throughout the United States and the Territories thereof, for the term of seventeen years.

The Supreme Court of the United States, in a recent case held that "the very object of these laws is monopoly" and that the patentee in his dealings with a licensee under his patent could enforce any agreement not in itself illegal, into which the parties had entered and that "the fact that the conditions in the contracts keep up the monopoly or fix prices does not render them illegal."

In another case it was held that a patentee

who sold a patented machine at a reduced price in consideration of the agreement that it should only be used with material (wire staples) purchased from him, could stop other parties from furnishing such material for use in said machine.

Therefore it will be seen that by obtaining a patent for the invention, the inventor may put it to use and at the same time retain absolute control over it.

The Courts are quick to protect the rights of meritorious inventors and in addition to enjoining infringements upon patents will award heavy damages for such invasion of the inventor's rights.

It is true that an inventor may make use of his invention where the same is a machine or a process secretly, and thereby for a time, perhaps, retain exclusive control over it. But such a course is risky. It is seldom that an invention can be worked without the assistance of outsiders, and the possibility always exists that if knowledge of the invention leaks out it may be too late for the inventor to obtain a patent if he would.

There is always the liability that another independent inventor may make the same invention and apply for a patent for it, and this might result in the earlier inventor forfeiting his rights.

Can a patent be obtained?

The simplest way of deciding this question is to submit a drawing, if such is possible, and a rough description of the in-

vention to a reliable attorney, telling him just what the points of improvement are and the advantages to be obtained. He will tell you if the invention is patentable.

Preliminary examinations.

In many cases it may be advisable to examine patents that have been issued to see if the invention is new or whether there is anything in the art approaching it. We will, when desired, make such examination and frequently recommend it. The cost is not great but varies with different cases. We will, when requested, estimate such cost as nearly as possible.

Every endeavor is made to obtain accuracy in making these searches, but owing to the immense number of patents issued (nearly 800,000), and other conditions, the result of such preliminary examination cannot be guaranteed.

Should any prior patents be found, which may affect the inventor's right to obtain a patent, we will send copies of them with our report of the search, wherein we will give our opinion as to the patentability of the invention.

The usual charge for a preliminary examination is $5. A sketch and brief description, of the invention should be sent to enable a search to be made. A report may usually be expected in a week.

What may be patented.

Patents may be obtained for inventions relating to machines, manufactured ar-

ticles, chemical processes, methods of manufacture, electrical apparatus, chemical compounds, compositions of matter, etc. They may also be obtained for improvements upon existing methods, devices, etc.

New designs for manufactured articles, may also be patented, provided they possess some degree of ornamentation.

Who may apply for a patent?

To obtain a valid patent for an invention in the United States, the application must be made by the actual inventor if he be living. Patents cannot, therefore, be applied for in the name of a firm, although the rights in an invention or a patent may be assigned to the firm.

Should there be several persons who have jointly produced the invention, the application for patent must be made by them jointly. One of them cannot obtain a valid patent for the joint invention, even with the consent of the others.

Should there be any doubt as to who is the proper person to apply for a patent, in consequence of the device embodying suggestions made by others it is advisable to lay the facts before your attorney for his advice. Generally, suggestions as to improved details in construction, made by one employed to construct the invented device, are to be regarded as part of the original invention.

Should the inventor die before applying for a patent, his executor or administrator may

make the application, and the patent when issued will enure to the benefit of his heirs at law or devisees. In case of insanity the application may be made by the guardian or committee. Minors may apply for patents for their inventions and this right is also extended to aliens.

Assignments. The inventor may transfer all or any part of the title to the patent to such person, firm or corporation as he may desire. This may be done after the issue of the patent or at the time of making the application. A written assignment is essential. If it is desired that the patent should issue to the assignee, this assignment should be made before the patent issues, and a request to that effect should be embodied in the assignment. The assignment should sufficiently describe the application or patent so that it may be positively identified.

It is advisable that these assignments be prepared by a lawyer familiar with patent law. The fees for preparing them are usually moderate.

It is recommended that assignments be recorded within three months from their date, by reason of that provision of the law which makes them void as against a subsequent purchaser or mortgagee of the patentee, for a valuable consideration and without notice, unless they are recorded within such time. All transfers destined for record in the

Patent Office must be in the English language.

Mortgages upon patents.

Patents may also be mortgaged, in whole or in part by a mortgage assignment. The provisions as to recording assignments apply to a mortgage.

Licenses.

Where the inventor desires to retain the title to the patent in his own name, but to grant others the right to make, use or sell the invention he may do so by a license.

A license may convey the right to use the invention only, or to make or to sell it or all of these rights.

It may convey the *exclusive* right to do any or all of these things, for any desired length of time or for any desired territory. It may restrict the use of the invention to one shop or one machine. It may be granted upon payment of a lump sum or for a continuing royalty. It may be made transferable or not, and by properly drawn licenses owners of patents may control the price at which the patented articles are marketed.

Care should be taken in drawing licenses for a term of years, providing for a continuing royalty, that the invention is protected against the non-use of the invention.

It is important that certain grants or conveyances of exclusive rights under the patent should be recorded.

It is also recommended that all assignments, grants and conveyances, affecting the title to

a patent should be executed and acknowledged before a Notary Public, or if made in a foreign country, before the United States Consul.

Application for a patent.

An application for a patent in all cases requires a petition, specification and oath, each of which must be signed by the applicant. In cases which admit of illustration a drawing must also be furnished.

These papers must all be prepared according to the Patent Office rules, otherwise the application may not be filed. They must be accompanied by $15, which is the Government filing fee on applications for patents for inventions.

An applicant for a patent, or the assignee of the entire interest is permitted to prosecute an application, but the Commissioner of Patents advises him "unless familiar with such matters, to employ a competent attorney, as the value of patents depends largely upon the skillful preparation of the specification and claims." (Rule 17).

Neglect of this admonition often results in the loss of rights which may be valuable.

Specification.

This includes a carefully and correctly drawn description of the invention in technical terms with reference to the drawing. The points of improvement are detailed and the construction and operation of the device fully described, so that a person skilled in the art to which it relates could construct

it. A concealment of any material matter relative to the invention may invalidate the patent.

Claims. The claims must be drawn to distinguish the invention from what is old. Their preparation is a matter requiring the highest degree of skill for upon them wholly rests the inventor's protection. It is therefore of the utmost importance that the claims be adequate to fully protect the invention. Many valuable inventions have been lost through failure to include claims properly covering the invention, which might have been had for the asking. Narrow or restricted claims are much easier to draft than are broad comprehensive claims, and are likewise much easier to obtain an allowance of.

Should an inventor describe a new and valuable invention, which he neglects to claim, the omission to include such claim would not be called to his attention by the Patent Office and he would abandon such matter by allowing it to be published in the patent without claiming it.

In disposing of a patent, one having broad claims which completely cover the invention is valuable and eagerly sought after, whereas one with claims unnecessarily restricted is of much less and sometimes of no value.

Drawings. When an invention can be illustrated by a drawing, such drawing must be filed as a part of the application. The size

of the drawings, manner of illustrating the invention, paper, etc., are subjects of regulation by Patent Office rules and its requirements must be observed in every particular. In applications for patent prepared by us the cost of making the drawing is included in the attorney's fee.

Proceedings in the Patent Office.

The application is taken up in its order by an official Examiner in the patent office and examined as to the correctness of the description and drawing, and as to the propriety and patentability of the claims.

Any prior patents, domestic or foreign which may conflict with applicant's claims are called to his attention and an opportunity is given to amend or change the claims objected to, so that they shall distinguish the matter claimed from such prior patents.

The drafting of such amendments to claims is a matter of moment and should be done only by a skilled person. Particular attention is paid by the courts to statements placed in a claim in order to overcome the objections of the Examiner, even should said statements have been made needlessly. An applicant, who, after the rejection of a broad claim by the Examiner upon some prior patent which the Examiner thinks meets its language, inserts in such claim limitations by way of statements as to particular devices, for the purpose of obtaining the allowance of a claim, will never afterward be permitted to say that such limitations are immaterial or to give

said amended claim a construction as broad as the original claim.

Amendments may be made until the Examiner finally rejects the application, and even after the application is allowed. In the latter case, however, the assent of the Commissioner of Patents must first be obtained.

The preparation of the necessary amendments and the study of the prior patents cited by the Examiner are included by us in the attorney's fee.

Should the application be finally rejected by the Examiner, an appeal may be taken, as hereinafter explained.

All applications which have been rejected by the Patent Office must receive suitable action within one year from the date of such rejection. Failing this the application will be regarded as abandoned and can only be revived by filing a new application with new papers and again paying the Government fee of $15.

After the allowance the inventor is permitted to delay paying the final Government fee of $20 for not more than six months. Should he delay longer than that he must file the application anew, in which case he may use the same papers filed in connection with the original application, but must pay another fee of $15 to the Government.

The patent when granted will have a term of seventeen years from its date. This term can be renewed only by special act of Congress.

After the payment of the final Government fee about three weeks is consumed in printing the patent and it is then issued, dated on the day of issue, which is always on a Tuesday.

Appeals. Should the Examiner finally reject the application or any claim, upon the ground that it is not patentable, or should he hold that an application embraces several distinct inventions and require the applicant to divide his application, an appeal may be taken from such ruling to the Examiners-in-Chief, before whom a personal argument may be made. A Government fee of $10 is charged upon lodging such appeal. Should the Examiners-in-Chief likewise refuse a patent, a further appeal may be taken to the Commissioner of Patents, before whom an argument may be made. This involves a further Government fee of $20. Attorney's charges for services upon such appeals vary in different cases, being controlled by the amount of work. An estimate of such cost will always be given the inventor before the appeal is taken.

The inventor's rights are not exhausted by an unfavorable decision of the Commissioner of Patents, and every opportunity is afforded him to demonstrate that he is entitled to a patent. For this purpose an appeal may be taken from the decision of the Commissioner of Patents to the Court of Appeals of the District of Columbia and if this appeal fails a suit may be brought in the United States

Courts against the Commissioner of Patents to compel him to grant a patent.

Novelty of invention. A valid patent may not be secured if the invention has been in public use or on sale in this country for more than two years prior to the application unless the same is proven to have been abandoned. A description of the same in any patent or publication, published either in this or a foreign country, prior to the invention thereof by the applicant, or more than two years before the application, will likewise prevent the obtainment of a valid patent.

The fact that the inventor or his representative may have applied for a patent in a foreign country, before filing his application in this country, will not necessarily deprive him of the right to obtain a valid U. S. patent, but the application for the patent here must be filed within twelve months after the filing of the foreign application.

Foreign patents. The most important inventions are usually patented in the principal foreign countries, in which the ingenuity of the American inventors is highly appreciated.

The patent laws of such countries differ in several important particulars from those of the United States, for instance, in some of them the patent is granted to the first person introducing the invention. In some a valid patent cannot be obtained if the invention has been described in a printed publica-

tion, circulated in the country before the application is filed.

In view of these facts, we advise that foreign patents, where desired, be applied for before the issue of the United States patent.

Ample time within which to apply for said foreign patents before the publication of the invention here is provided in the six months after the allowance of the application, during which the inventor is allowed to delay paying the final Government fee of $20.

Detailed information as to foreign patents, their duration, cost, etc., will be furnished upon request.

Caveats.

An invention which is partially developed but has not yet assumed such definite shape that a patent can be applied for, may receive a species of protection by filing a caveat for the same in the Patent Office. This consists of a short description of the invention setting forth the object and the distinguishing characteristics thereof. It should be accompanied, where possible, by a drawing, not necessarily of the kind required in patent applications, and a Government fee of $10 must be paid.

The inventor is thereupon entitled to receive notice from the Patent Office should any person apply for a patent for his device and he will be given three months time within which to prepare and file his own application for a patent.

Caveats are principally useful as establish-

ing a date but furnish no protection against an unauthorized use of the invention.

The term is one year, which may be renewed. Attorneys fees are $15; making the total cost of the caveat $25.

Design patents. Patents are issued for designs for articles of manufacture. The design must be new, original, and ornamental, and must not have been in use or published more than two years before the patent is applied for. Such patents may be obtained for terms of 3½, 7 or 14 years, and the corresponding Government fees are $10, $15 and $30, payable when the application is filed. There is no final fee as in case of patents for inventions in manufactures, etc. The proceedings upon an application for a design patent, the preparation of the application, and the examination and prosecution of the same are similar to those upon an application for a patent for an invention in manufactures, etc.

Where a foreign patent has been obtained by an inventor for his design before he applies for the U. S. patent, the application for the U. S. patent must be filed within 4 months after the date of filing the foreign application.

Reissues. Errors in a patent due to accident, mistake or inadvertence and arising without a fraudulent or deceptive intention, may in some cases afford the basis of a reissue, which will correct them. The application for

a reissue should be made promptly when the defect is discovered. Two years is usually regarded as the limit of time within which a reissue may be obtained, but this limit is not arbitrary. The original patent must be surrendered, but will be returned if the reissue is not granted. If granted the reissue runs to the end of the term for which the original patent was granted. The government fee upon a reissue is $30, payable upon the filing of the application.

Attorneys.

Care should be taken in the selection of a reliable attorney. Much skill and technical knowledge are required to prepare an application and prosecute it properly before the Patent Office, so as to secure adequate protection to the inventor. The results of inefficient work may and probably will not be apparent until too late to correct, and a small amount saved in the preliminary expenses may mean the loss of valuable rights.

Printed copies of patents.

Patents heretofore granted may be obtained in printed form at a slight expense. These are classified at the Patent Office according to their subject-matter and are subdivided so that an inventor may obtain practically every patent relating to any particular subject or type of machine. If desired we will inform inventors of the number of patents issued in any particular subdivision and of the expense of obtaining copies thereof. It may be and usually is of value to an in-

ventor to know what has been accomplished in any particular line upon which he may be working.

Marking articles patented. All articles containing the patented invention should be marked with the word "patented," together with the day and year the patent was granted. If the character of the article prevents this, the patent mark should be placed on a label affixed to the package enclosing the article. The fraudulent use of such a patent mark renders the guilty person liable to heavy penalties.

Sale of patents. We warn inventors against employing agents who are unknown to them and who demand fees in advance, for the sale of patents. We do not know of any instances where inventors have been benefited by such means. Their profit usually comes out of the deposits the inventors make and not from the sale of patents. Do not enter into any business arrangement regarding the patent without submitting it to your patent attorney.

INTERFERENCES.

These are declared when two or more pending applications for patents describe and claim the same invention. In such case, after the Examiner has found the invention to be patentable, the applications are declared to interfere with each other and the parties are

required to file preliminary statements showing the dates of conception of the invention, when it was first reduced to practice, etc. They are then given time wherein to present proofs from which the Commissioner of Patents decides which applicant is entitled to a patent. In some cases the interference is decided on the statements, without proofs. Appeals are permitted from unfavorable decisions in the same manner as with applications.

The proceedings upon such interferences are technical and partake of the character of a suit in Court. They require the services of a skilled patent lawyer.

Importance of diligence.

In deciding the question of priority between rival inventors, whose applications have been declared to interfere, much importance is placed upon the degrees of diligence shown by the respective inventors. This relates more particularly to the time required to develop the invention, or reduce the same to practice after it has been conceived. An application for patent describing an operative machine is viewed in the light of a reduction of the invention to practice. It may happen that the inventor who was the last to conceive the invention but the first to file his application, illustrating an operative machine, may be awarded a patent, as against an earlier inventor, who delayed filing his application, or reducing the invention to practice. The importance of filing an application

at the earliest available moment is therefore apparent.

INFRINGEMENTS OF PATENTS.

Should the patentee's exclusive right to make, use and sell the invention be violated in any way, redress may be obtained by a suit in the United States Courts, and in such a suit the complainant may obtain an injunction prohibiting the further unlawful use of the invention and in addition thereto may secure the profits which the defendant has made by his infringement, the damages which the complainant has sustained thereby and the costs of the suit.

In such suit convincing evidence must be brought before the Court of the merits of the invention and of the use thereof by the defendant.

Such cases are argued before Judges who are learned in the patent law and who are usually possessed of great technical skill and experience. A patient and careful consideration of the patent and of the infringing device as well as of all the proofs presented is assured.

If the Court finds in favor of the patent an assessment of damages and profits is then ordered. Should the ruling of the Court be unsatisfactory, an appeal may be taken to the United States Circuit Court of Appeals.

We have conducted many suits for infringements of patents, relating to many kinds of inventions, both mechanical, chemical and electrical, and are prepared at all times to advise owners of patents as to their probable rights under patents, and concerning questions of infringement and to state the probable cost of such suits.

TRADE MARKS.

The owners of trade marks may register them in the United States Patent Office, upon payment of a Government fee of ten dollars for each mark. Registration is effective for a term of 20 years and upon application made 6 months prior to the expiration of such term, may be renewed upon the same terms.

Trade marks to be registered must be used in interstate commerce, foreign commerce, or in commerce with Indian Tribes. Certain trade marks are not registerable, for instance, those conflicting with previously registered marks for similar articles; those which are descriptive of the goods to which they are applied, or of their quality; geographical terms; those containing immoral or scandalous matter, those containing the flag or coat of arms of the United States or any State, City or foreign government; names of individuals, firms or corporations; or the portrait of a living individual, without his consent, etc. Names of individuals, firms or cor-

porations may be registerable if printed, written, woven, etc., in a distinctive manner, or used in connection with a portrait.

Certain marks otherwise incapable of registration may be registered when they were in the exclusive use of applicant or his predecessors, for at least ten years preceding February 20, 1905.

We will advise, without charge, as to whether or not any trade mark is a proper one for registration.

A search may be made to ascertain whether or not the trade mark is original with the applicant at an expense of about $5.

Advantages of Registration.

The registration of a trade mark is by statute *prima facie* evidence of the ownership thereof. Additional rights conferred by registration are the establishment of a date for the purposes of priority, notice to all persons of the rights of the registrant, the right to exclude imported goods bearing counterfeits of the trade mark, the right to sue in the United States Courts in certain cases, where the owner of the mark could not otherwise do so, the right of the Court to increase the damages threefold in a suit for infringement of a *registered* mark, the right to prevent any one from registering a conflicting mark for the same goods, etc.

The registration of a trade mark may be opposed by a party liable to be damaged by such registration, verified notice of opposition, giving the grounds upon which it is based,

must be filed within thirty days after publication of the mark in the *Official Gazette*. In other respects the procedure upon application to register a trade mark is the same as that upon an application for a patent.

Information required to register a trade mark.

To effect the registration of a trade mark, the following information must be supplied.

1. The date when the mark was adopted or first used.

2. A statement of the goods upon which the trade mark is used.

3. How it is applied to the goods.

4. If it is printed or applied directly upon the goods, a sample should be sent if possible so that an exact drawing may be made.

5. If it is printed upon labels, six of the labels should be sent.

6. The names of such Indian tribes, foreign countries, or states, in commerce with which the mark is used, should be stated.

7. If the trade mark is used by a firm give the full names of all of the members of the firm.

8. If a corporation, the state in which it is incorporated.

9. If an individual, his residence and business address.

Assignment of trade marks.

Trade marks may be assigned in connection with the business with which they are used. They may not usually be divided up and assigned in part or their use

licensed by different parties as is the case with a patent.

Marking articles. Notice should be given of the fact that the trade mark has been registered by affixing thereon the words "Registered in U. S. Patent Office" or in abbreviated form "Reg. U. S. Pat. Off." When this cannot be done a like notice should be contained upon a label attached to the package or receptacle containing the article.

INFRINGEMENTS OF TRADE MARKS AND UNFAIR COMPETITION.

The protection afforded in the United States to manufacturers and others employing trade marks and distinctive methods of preparing articles for sale is very full and complete. In these days when large sums are expended in advertising goods it is vitally necessary both for the protection of the manufacturer as well as of the public that purchasers should get genuine goods. The ease with which labels and trade marks may be simulated has led many unscrupulous dealers to prepare imitations of advertised goods, which, owing to reduced cost of production, they are able to sell as the genuine at a larger profit. The Supreme Court of the United States has denounced such practice, saying:

"Rival manufacturers * * * have no right by imitative devices, to beguile the public into buying their wares under the impression they are buying those 'of their rivals.'"

Defendants, in such cases, may not only be placed under injunction but made to surrender the entire profit which they have illegally acquired as well as to pay the usual costs. In actions for infringement of a registered trade mark the Court has the power after the damages sustained by complainant have been ascertained, to increase the same threefold.

We have prosecuted many of such suits and will be pleased to give our opinion as to the probabilities of succeeding in any particular case laid before us. The course of procedure in many respects resembles that in a patent suit.

COPYRIGHTS FOR BOOKS, WORKS OF ART, MUSICAL COMPOSITIONS, ETC.

Who may obtain. Copyrights may be entered in the name of the author, designer, composer, etc., or in the name of another party, who, by acquiring the right from him, may make such entry as *proprietor*. Such proprietor may be a firm, corporation, trustee, etc.

Any citizen of the United States may reg-

ister a copyright and any alien citizen of a state which grants similar privileges to citizens of the United States, etc. Copyrights may now be entered in the United States by citizens of Belgium, Chili, Costa Rica, Denmark, France, Germany, Great Britain and possessions, Italy, Mexico, Netherlands and possessions, Portugal, Spain, Switzerland, Cuba and China.

What may be copyrighted.

Copyrights are entered in the Office of the Librarian of Congress and also in the Patent Office.

In the office of the Librarian of Congress may be entered articles of original composition, valued for their literary or artistic merit, such as Books, Charts, Dramatic Compositions, Musical Compositions, Photographs, Photographic Negatives, Chromos, Lithographs, Periodicals, Paintings, Drawings, Statuary, and Models of Designs intended to be perfected as works of the fine arts, Engravings, Cuts, Prints (the last three must be possessed of artistic value, or such as are sold or used to illustrate a book to be registered in the Librarian's Office; others are registered in the Patent Office). Registration in the Office of the Librarian of Congress requires a Government fee of $1 which includes a certificate of registration.

The Patent Office registers copyrights for Prints and Labels which are applied to vendible commodities or which relate to them.

A "print" in the Patent Office includes a

production which relates to an article of manufacture but is not borne by it, *e. g.* an advertisement. A "label" includes a production which is applied directly to some manufactured article or to the package containing the same, or a label affixed thereto, to indicate the article of manufacture. They must both possess some literary or artistic merit and must be descriptive of the articles. Registration in the Patent Office requires a Government fee of $6 in each case.

When to secure a copyright.

Copyright protection can only be obtained by registration *before* the Book, Map, Print, Label, etc., is published. A publication previous to applying for copyrights will forfeit the right to obtain a valid copyright.

How to secure a copyright.

Not later than the day the work is published, a printed copy of the title must be deposited in the office of the Librarian of Congress or mailed him and certain prescribed information furnished. In case of articles such as a painting, drawing, statuary, statue, model or design, a description sufficient to identify the article must be sent, in addition to the title, if there is one. If the work be printed, as a book, map, etc, printed copies of the best edition must be sent. In case of a painting, drawing, statue, statuary, model or design, a photograph of the work must be sent. A penalty of $25 is incurred for failure to deposit the required copies or photographs.

In case of a book the two copies must be printed from type set within the United States or from plates made therefrom. Photographs must be made from negatives made in the United States, and chromos and lithographs from drawings on stone made in the United States. The two printed copies of the books, etc., or the photograph of the painting, etc., must be delivered at the office of the Librarian of Congress in Washington or deposited in the mail within the United States addressed to him, not later than the day of publication. Where a book contains several volumes, each volume should be entered separately, and each edition should also be separately entered.

For Patent Office registration of commercial prints or labels, twelve copies are necessary.

Copyright notice. Every copy of a copyrighted work should bear a notice of the copyright reading "Copyright 190 , by....."

In the case of a book this notice must appear on the title page or on the page immediately following.

In case of other works the notice must be inscribed on some visible portion thereof or on the substance on which the same is mounted. Failure to observe this requirement will result in the loss of protection under the registration. A penalty is imposed by law for false use of this copyright notice.

Term of copyright. A copyright is granted for a term of 28 years from the time of recording the title, and it may be extended by the author, inventor or designer, if he be living, or his widow or children, if he be dead, for a further term of 14 years, by a second registration, effected within six months before the expiration of the first term. In such case certain publication in regard to the renewal is required.

Transfer of Copyrights. Copyrights may be assigned by a written instrument. Such assignments should be recorded within sixty days after their execution.

ATTORNEY'S CHARGES.

The charges scheduled below apply to ordinary cases. In some cases a higher fee must be charged by reason of increased cost of drawings, and greater amount of work required.

Preliminary examination	$ 5 00
Application for a patent, attorney's fee	40 00
Government filing fee	15 00
Government issuing fee	20 00
Application for the reissue of a patent, attorney's fee	60 00
Government fee	30 00
Application for a design patent, attorney's fee	25 00
Government fee 3½ years	10 00

Government fee 7 years	15 00
Government fee 14 years	30 00
Registration of a trade mark, attorney's fee	15 00
Government fee	10 00
Copyright with Librarian of Congress, attorney's fee	5 00
Government fee	1 00
Copyright in Patent Office, attorney's fee.	9 00
Government fee	6 00
Caveat, government fee	10 00
Caveat, attorney's fee	15 00

Personnel of our firm.

Our firm is composed of two members, Clifford E. Dunn and Henry M. Turk. Both members are attorneys and counselors at law and admitted to practice in the Courts of the State of New York and in the United States Court of many states and both are registered at the U. S. Patent Office. Mr. Dunn is also an electrical engineer and a member of the American Institute of Electrical Engineers, the American Electro-Chemical Society and other scientific bodies and has been engaged for many years in the practice of patent law. Mr. Turk has had an experience of over twenty-five years in the practice of patent law and soliciting of patents, and has been actively connected with many and important suits for infringements upon patents, trade marks, unfair competition, etc.

We will be pleased upon request to give

references to clients for whom we have transacted business.

We shall be pleased to attend to the preparation of applications for patents for inventions and designs and to the registration of trade marks and entering of copyrights, and to the prosecution or defense of suits for infringement of letters patent or trade marks or for unfair competition.

Upon request we will cheerfully supply any further desired information upon the topics treated of in these pages.

DUNN & TURK,
13–21 Park Row,
New York.